R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Claim 1 has been amended to clarify the feature of the present invention whereby the display setting portion sets display items of photograph information relating to the observation image, and displays the photograph information superimposed on the observation image. Similarly, independent claim 10 has been amended to clarify the feature of the present invention whereby the display displays a plurality of sets of photograph information relating to the observation image superimposed on the observation image. See Figs. 3 and 4 and the description thereof in the specification.

In addition, claims 2 and 4 have been amended to clarify that the display setting portion sets at least one of a line color, a line width and a line type as the display items to maintain a visual recognition property of the photograph information for the observation image, and claims 6 and 14 have been amended to properly depend from claims 1 and 10, respectively.

Still further, the claims have been amended to make some minor grammatical improvements and to correct some minor

antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered, and that the objection to claims 6 and 14 be withdrawn.

THE PRIOR ART REJECTION

Claims 1-18 were rejected under 35 USC 103 as being obvious over Sannoh et al (US 2002/0149689). This rejection, however, is respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended independent claim 1, an imaging device for a microscope is provided which includes an electronic camera which images an observation image captured by the microscope, a display which displays the observation image imaged by the electronic camera, and a display setting portion which sets display items of photograph information relating to the observation image, and which displays the photograph information superimposed on the observation image.

Similarly, according to the present invention as recited in amended independent claim 10, an imaging device for a microscope is provided which includes an electronic camera which images an observation image captured by the microscope, and a display which

displays a plurality of sets of photograph information relating to the observation image superimposed on the observation image.

That is, according to the present invention as recited in amended independent claims 1 and 10, photograph information about an observation image captured by a microscope and being imaged by a camera, such as photometry, focus, color balance and scale of that image, is superimposed on the observation image as it is being displayed on a display as described in the specification at, for example, page 15, line 17 to page 16, line 5 with reference to Fig. 3.

It is respectfully submitted that Sannoh et al does not at all disclose, teach or suggest an imaging device for a microscope having the above described features of the claimed present invention. Instead, Sannoh et al merely discloses an image pick up device including an image preprocessor which displays a target mark TM used as the photography criterion on a display 7. (See Figs. 2A and 2B of Sannoh et al.) The image preprocessor determines a color of the target mark TM (red or green) based on the content of the photography advisability information. (See paragraph [0044] of Sannoh et al.) The photography advisability information relates only to status of the auto-focus operation, i.e., whether the image being viewed (but not yet captured) is in focus as a result of the auto-focusing operation or not. Thus, in Sannoth et al, the photography advisability information is

determined by the image preprocessor, which acts upon the image being viewed - prior to its being captured.

In contrast to the claimed present invention, Sannoh et al does not disclose, teach or suggest displaying photograph information about a (current) observation image which has already been captured and is being displayed on a display, superimposed on that observation image itself. Instead, Sannoh et al merely discloses placing a target mark indicative of the focus status of a viewed, uncaptured image for the purpose of facilitating subsequent capture of the image when it is in focus. And it is respectfully submitted that the photograph advisability information as embodied by the target mark in Sannoh et al is fundamentally different from the photograph information of the claimed present invention.

Accordingly, since Sannoh et al does not disclose, teach or suggest displaying photograph information about an observation image already captured by a microscope, it is respectfully submitted that amended independent claims 1 and 10 clearly patentably distinguish over Sannoh et al under 35 USC 103.

It is respectfully submitted, moreover, that Sannoh et al also does not disclose, teach or suggest various features of dependent claims. For example, Sannoh et al does not disclose, teach or suggest setting line color, line width and/or line type to maintain a visual recognition of the display photograph information as according to the present invention as recited in

claims 2, 4, 11 and 13. In addition, Sannoh et al does not disclose, teach or suggest that the photograph information includes photometry, focus, color balance and scale of the observation image captured by the microscope as according to the present invention as recited in claims 3 and 12.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claims 1 and 10, as well as each of claims 2-9 and 11-18 respectively depending therefrom, clearly patentably distinguishes over Sannoh et al under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

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